

Craig D. Webster
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Attorney for Defendant
Alberto Pastrana

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
The Honorable Stanley A. Bastian

United States of America,

Plaintiff,

v.

Alberto Pastrana,

Defendant.

No. 1:22-CR-2058-SAB

Motion to Continue Trial

Without Oral Argument
July 6, 2022, 6:30 p.m.

Alberto Pastrana moves this Court to continue the pretrial conference and trial in his case. The pretrial conference is currently set for July 6, 2022, and trial is currently set for July 18, 2022. This is Mr. Pastrana's first continuance request and the government does not have an objection.

1 On May 16, 2022, Mr. Pastrana was arraigned on a one-count
2 indictment charging him with Felon in Possession of Firearms in
3 violation of 18 U.S.C. § 922(g)(1), 924(a)(1).¹ Mr. Pastrana is currently
4 in-custody pending trial at the Yakima County Jail. The defense team
5 consistently meets with Mr. Pastrana and process is being made on his
6 case.

7 The defense is still in the process of reviewing the discovery with
8 Mr. Pastrana. Additionally, legal research is being conducted in
9 regards to potential pretrial motions. Likewise, the gathering of
10 potential investigatory information is being looked into. Finally, the
11 defense is in the process of investigating the government's evidence
12 against Mr. Pastrana. The defense needs additional time to effectively
13 complete pretrial investigation, legal research, and to build Mr.
14 Pastrana's defense should the matter go to trial. Based on this need the
15 defendant moves, through counsel, for a continuance.

17 Counsel therefore believes that a continuance is necessary to
18 allow reasonable time, exercising due diligence, to effectively prepare
19 Mr. Pastrana's defense. *See* 18 U.S.C. § 3161(h)(7)(B)(iv).

21 ¹ *See* ECF Nos. 1, 13.

1 Defense counsel has discussed the need for the requested
2 continuance with Mr. Pastrana, and he agrees with the request. He also
3 acknowledges that any continuance would constitute excludable time
4 under the Speedy Trial Act, and he has signed a speedy trial waiver to
5 that effect.

6 Counsel was provided continuance dates by Madame Courtroom
7 Deputy Robinson in an email correspondence of which Mr. Burson and
8 Mr. Hanlon (AUSA) were included. The dates provided by Madame
9 Courtroom Deputy Robinson work for defense counsel and Mr.
10 Pastrana. Mr. Hanlon has indicated that the government has no
11 objection to the continuance (or dates).
12

13 Based on the foregoing, Mr. Pastrana respectfully requests that
14 the Court continue his pretrial conference to October 5, 2022, and
15 continue trial to October 17, 2022, adjust the associated deadlines, and
16 order that the time of the continuance is excludable for purposes of the
17 Speedy Trial Act.
18

19 Dated: June 30, 2022.
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1 By s/ Craig D. Webster
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8 **Certificate of Service**

8 I hereby certify that on June 30, 2022, I electronically filed the
9 foregoing with the Clerk of the Court using the CM/ECF System which
10 will send notification of such filing to the following: Richard C. Burson,
11 Assistant United States Attorney.
12

13 s/ Craig D. Webster
14 Craig D. Webster
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